

REMARKS

The present Amendment is in response to the Final Office Action having a mailing date of March 31, 2004. Claims 1-2, 4-10, 12-18, 20-24, and 31-39 are pending in the present Application. Applicant has canceled claims 6, 14, 22, 31, 33-34, 36-37, and 39. Consequently, claims 1-2, 4-5, 7-10, 12-13, 15-18, 20-24, 32, 35, and 38 remain pending in the present Application.

In the above-identified Final Office Action, the Examiner indicated that claims 1, 2, 4, 7-10, 12, 15-18, 20, 23, and 24 were allowed. Applicant gratefully appreciates the Examiner's indication that claims 1, 2, 4, 7-10, 12, 15-18, 20, 23, and 24 are allowed.

This application is under Final Rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the Amendment to clarify issues upon appeal.

In the above-identified Office Action, the Examiner rejected claims 5, 6, 13, 14, 21, and 22 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,172,955 (Hashimoto). The Examiner also objected to claims 31-39.

In the above-identified Office Action, the Examiner rejected claims 5, 6, 13, 14, 21, and 22 under 35 U.S.C. § 102 as being anticipated by Hashimoto. In so doing, the Examiner cited the Abstract and col. 2, line 43-col. 5, line 20 of Hashimoto. The Examiner also noted that "the claim language does not require formatting to start as soon as data is being recorded to the previous [sic] formatted increment."

Applicant has canceled claims 6, 14, and 22. Accordingly, Applicant respectfully submits that claims

Applicant respectfully disagrees with the Examiner's rejection of claims 5, 13, and 21.

Claim 5 recites a method for formatting space on a storage device for a database system. The method recited in claim 5 includes the step of asynchronously formatting at least one subsequent increment in the storage device for the database file as a concurrent task of the database system. Claim 5 further recites that the asynchronously formatting step further includes "starting formatting of the at least one subsequent increment for the database file as a background process *when* data are *first* stored in a previous increment." (Emphasis added). Thus, claim 5 specifically links formatting of a subsequent increment to data first being stored in a previous increment. More specifically, *when* data are *first* stored in the previous increment, formatting of subsequent increment(s) are started. Claims 13 and 21 recite analogous computer-readable medium and system claims. As a result, access delays can be reduced or eliminated, and if formatting is performed in the background, normal operation of the database system could continue unabated. Performance of the database system can thus be improved. Moreover, because formatting is only done as needed-when the previous increment is first written to, additional space is left for other applications.

Hashimoto discloses a magneto-optical disk formatting process that may be interrupted in order to process various requests. Hashimoto, col. 4, lines 30-31 and 50-51. The formatting process in Hashimoto is restarted "after the recording of the user data packet is completed" and after is determined whether formatting has been completed. Hashimoto, col. 8, lines 48-50 and FIG. 5. Stated differently, completion of writing in conjunction with a determination of whether formatting is complete causes formatting to be restarted. Furthermore, the formatting process of Hashimoto apparently continues until the entire disk is formatted.

Thus, Hashimoto teaches that formatting commences when writing of a packet is complete. However, Applicant has found no discussion in the cited portions of either Hashimoto or Seamons of commencing any task related to a subsequently formatted increment *when* data are *first stored* in an increment. Stated differently, in contrast to the method, system, and computer-readable medium recited in claims 5, 13, and 21, Hashimoto does not link formatting a subsequent increment to data *first* being stored in a previous increment. Hashimoto, therefore, fails to teach or suggest asynchronously formatting an increment for a database file when data are first written to a previous increment. Consequently, Hashimoto and Seamons, separately or in combination, fail to teach or suggest the method, computer-readable medium, and system recited in claims 5, 13, and 21, respectively. Accordingly, Applicant respectfully submits that claims 5, 13, and 21 are allowable over the cited references.

The Examiner also objected to claims 31-39. In particular, the Examiner indicated that claims 31-39 fail to further limit the scope of a previous claim.

Applicant has canceled claims 31, 33-34, 36-37, and 39. Consequently, Applicant respectfully submits that the Examiner's objection to claims 31, 33-34, 36-37, and 39 is moot.

Applicant respectfully disagrees with the Examiner's objection to claims 32, 35, and 38. Claims 32, 35, and 38 recite the at least one subsequent increment is "only" formatted by starting formatting of the at least one subsequent increment for the database file as a background process when data are first stored in a previous increment. Consequently, claims 32, 35, and 38 preclude formatting a subsequent increment for other purposes. This is distinct from claims 5, 13, and 21 upon which claims 32, 35, and 38, respectively, depend. Consequently, Applicant respectfully submits that claims 32, 35, and 38 to further limit the scope of claims 5, 13, and 21, respectively. Moreover, because claims 32, 35, and 38 depend upon claims 5, 13, and 21, the arguments herein

with respect to Hashimoto apply with full force to claims 32, 35, and 38. Accordingly, Applicant respectfully submits that claims 32, 35, and 38 are allowable as presented.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

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A handwritten signature in cursive script, appearing to read 'Michele Liu', written over a horizontal line.

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